

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

PRESTON JAMES,

Defendant.

) Criminal No. 1:15-CR-292 (MAD)

)

) **Superseding Indictment**

)

) Violations: 21 U.S.C. §§ 841(a)(1),
) 841(b)(1)(B), 841(b)(1)(C)
) [Distribution of a Controlled
) Substance]

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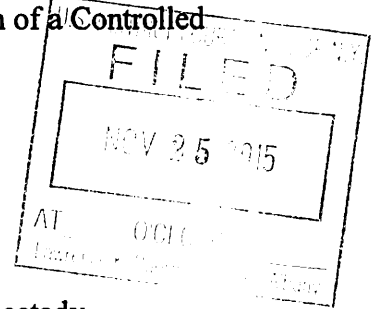
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4 Counts

County of Offense: Schenectady



THE GRAND JURY CHARGES:

COUNT 1

[Distribution of a Controlled Substance]

On or about April 29, 2015, in Schenectady County in the Northern District of New York, the defendant, **PRESTON JAMES**, knowingly and intentionally distributed a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). That violation involved 28 grams or more of a mixture and substance which contained a detectable amount of cocaine base (crack), in violation of Title 21, United States Code, Section 841(b)(1)(B).

COUNT 2

[Distribution of a Controlled Substance]

On or about April 21, 2015, in Schenectady County in the Northern District of New York, the defendant, **PRESTON JAMES**, knowingly and intentionally distributed a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). That violation involved

cocaine base (crack), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 3
[Distribution of a Controlled Substance]

On or about April 9, 2015, in Schenectady County in the Northern District of New York, the defendant, **PRESTON JAMES**, knowingly and intentionally distributed a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). That violation involved cocaine base (crack), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 4
[Distribution of a Controlled Substance]

On or about April 6, 2015, in Schenectady County in the Northern District of New York, the defendant, **PRESTON JAMES**, knowingly and intentionally distributed a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). That violation involved cocaine base (crack), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

PRIOR DRUG FELONY CONVICTION

1. Counts One through Four of this Indictment are hereby incorporated by reference.
2. **PRESTON JAMES** is subject to increased punishment, pursuant to Title 21, United States Code, Sections 841(b)(1)(A), because of the following prior conviction for a felony drug offense which has become final:

PRESTON JAMES was convicted on or about April 9, 2009, in Rockland County Court, New York, of Attempted Criminal Possession of a Controlled Substance in the Third Degree, a class C felony, in violation of the New York Penal Law Sections 110.00 and

220.16(1), and was sentenced to two years imprisonment; and **PRESTON JAMES** was convicted on or about June 16, 2006, in Kings County Supreme Court, New York, of Criminal Possession of a Controlled Substance in the Fifth Degree, a class D felony, in violation of the New York Penal Law Section 220.06(1), and was sentenced to five years of probation.

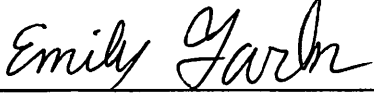
Dated: November 25, 2015

A TRUE BILL, ***REDACTED***


Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:


Emily Farber
Assistant United States Attorney
Bar Roll No. 519174